

U.S. Application No.: 10/752,801
RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Attorney Docket: 4011.001

Remarks

Review and reconsideration of the Office Action of October 19, 2005, is respectfully requested in view of the above amendments and the following remarks.

Applicant has amended the Claims to overcome the Examiner's rejection. Care has been taken to ensure that no new matter is added to the claims. Support for the amendment to Claims 7 and 12 are found in the claims. Support is also found in the Specification on page 7, paragraph [00026].

Further, the Examiner required Applicant to elect for prosecution from either:

Group I. Claims 1-6, 8-11, and 13, drawn to compositions, classified in Class 514, Subclass 531.

Group II. Claims 7 and 12, drawn to traps, classified in Class 43, Subclass 107.

The position of the Examiner can be found on pages 2-5 of the Office Action.

In response, Applicant elects Group I, Claims 1-6, 8-11, and 13, drawn to compositions, **with traverse**.

Traverse is for the following reasons:

In issuing a Restriction Requirement, the Examiner **must satisfy two criteria for a proper restriction of the claims** of the application. First, the Examiner **must** show that the

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application claims independent or distinct inventions, as required by both § 121 and the USPTO rules. Second, the Examiner **must** show that examining all claims inventions in a single application would constitute a serious burden on the USPTO.


In response, Applicant amended Claims 7 and 12, so that they depend upon the composition of Claims 1 and 8, respectively. With this amendment Claims 7 and 12 no longer claim the trap but now claim a method of using the compositions in a specific trap.

With this amendment Applicant is no longer making a claim to independent or distinct inventions. Therefore, the Examiner can search and examine the entire application without serious burden.

Accordingly, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,

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Date: **December 1, 2005**



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CERTIFICATION OF MAILING AND AUTHORIZATION TO CHARGE

I hereby certify that a copy of the foregoing RESPONSE TO ELECTION/RESTRICTION REQUIREMENT for U.S. Application No. 10/752,801 filed January 7, 2004, was deposited in First-Class U.S. mail, with sufficient postage, addressed: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on **December 1, 2005**.

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.


Yaté W. Cutliff